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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/444,224	05/18/95	WILSKA	K 297-955893-N

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PERMAN & GREEN  
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FAIRFIELD CT 06430

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LOWARD, L EXAMINER

ART UNIT	PAPER NUMBER
2608	7

DATE MAILED:

04/16/96

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents.

Please See attachments

## Office Action Summary

Application No. 08/444,224	Applicant(s) Kari-Pekka Wilska et al.
Examiner Lisa Coward	Group Art Unit 2608



Responsive to communication(s) filed on \_\_\_\_\_.

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

### Disposition of Claims

Claim(s) 1-9 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-9 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

**Part III DETAILED ACTION**

***Drawings***

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

2. The drawings are objected to as failing to comply with 37 CFR § 1.84(f) which states, "The same character must never be used to designate different parts." However, "14 and 15" have been used to designate both PCMCIA and camera with no distinction between the camera "14" and the PCMCIA card "15". Please clarify on drawing sheet to avoid confusion. Correction is required.

***Specification***

3. This application is informal in the arrangement of the specification.

The following guidelines illustrate the preferred layout and content for patent applications. These guidelines are suggested for the applicant's use.

***Arrangement of Specification***

The following order or arrangement is preferred in framing the specification and, except for the title of the invention, each of the lettered items should be preceded by the headings indicated below.

- (a) Title of the Invention.
- (b) Cross-References to Related Applications (if any).
- (c) Statement as to rights to inventions made under Federally-sponsored research and development (if any).
- (d) Background of the Invention.
  - 1. Field of the Invention
  - 2. Description of the Prior Art.
- (e) Summary of the Invention.
- (f) Brief Description of the Drawing.
- (g) Description of the Preferred Embodiment(s).
- (h) Claim(s).
- (i) Abstract of the Disclosure.

***Claim Rejections - 35 USC § 112***

4. Claims 1-3 and 8 rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A broad range or limitation followed by linking terms (e.g., preferably, maybe, for instance, especially) and a narrow range or limitation within the broad range or limitation is considered indefinite since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired.

In the present instance, claim 1 recites the broad recitation of a power source, and the claim also recites a battery which the narrower statement of the range/limitation

In the present instance, claims 2, 3 and 8 recite the broad recitation of a camera, and the claim also recites a semiconductor camera which the narrower statement of the range/limitation.

In the present instance, claims 3 and 8 recite the broad recitation of a circuit card, and the claim also recites a PCMCIA which the narrower statement of the range/limitation.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --  
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 1-3, 7, and 8 are rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Parulski et al.

See figures 6 and 7. Also see the abstract and cl.6, ln.65 - cl.7, ln.9,

7. Claim 9 is rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Erving et al.

See figure 3, cl. 1, lns. 64-68 and cl. 3, lns. 27-37.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

9. Claim 4-6 are rejected under 35 U.S.C. § 103 as being unpatentable over Parulski et al. in view of Popular Electronics.

Consider claims 4 and 5. Parulski et al. fail to teach the device with a cellular mobile telephone unit having the equipment required for speech communications. However, Popular Electronics discloses several devices for personal communication (i.e. personal digital assistants) which incorporate cellular mobile telephones (see Newton, Simon and AT&T EO 440). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a cellular mobile telephone unit in the device for personal communication of Parulski et al. in order to provide a communications link to the outside world as taught by Popular Electronics.

Consider claim 6. Parulski et al. disclose a device for personal communication. Parulski et al. fail to teach the device with a digitizer pad. However, Popular Electronics discloses several devices for personal communication (i.e. personal digital assistants) which incorporate digitizer pads (see Newton, Simon and AT&T EO 440). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a digitizer pad in the device for personal communication of Parulski et al.

ordinary skill in the art at the time the invention was made to include digitizer pads in the device for personal communication of Parulski et al. in order to provide customers with a user friendly interface (i.e. digitizer pad) as taught by Popular Electronics.

Further consider claim 6. Parulski et al. disclose a device for personal communication. Parulski et al. fail to teach the device with a replaceable keyboard. However, the examiner takes Official Notice the replaceable keyboards are notoriously well known in the art. Therefore, it would have been obvious to of ordinary skill in the art at the time the invention was made to include a replaceable keyboard in the device for personal communication in order to provide customers with an option on the type of keyboard used (i.e. ergonomic keyboard).

### **Conclusion**

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schlack et al. disclose an image-based electronic pocket organizer with integral scanning unit.

Sarbadhikari et al. disclose an electronic imaging system using a removable software-enhanced storage device.

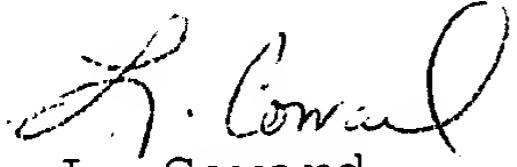
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Coward whose telephone number is (703) 305-4847.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

The fax number for Group 2600 is (703) 305-9508.

  
L. Coward

April 2, 1996

  
CURTIS KUNTZ  
SUPERVISORY PATENT EXAMINER  
GROUP 2600